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# Notice of Allowability

Application No.

10/500,121

Applicant(s)

UDAGAWA, SEIICHIRO

Examiner

Leonard J. Weinstein

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/04/2007.
2. ☒ The allowed claim(s) is/are 5 and 6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892).
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

DEVON C. KRAVITZ  
PATENT EXAMINER

Leonard Weinstein

### **DETAILED ACTION**

1. This office action is in response to the amendment of December 4, 2007. In making the below rejections and/or objections the examiner has considered and addressed each of the applicant's arguments.
2. The examiner acknowledges the addition of new claim 6.
3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows: the limitations of claim 6 have been amended to more clearly recite the function of a deaerating valve during a sucking and exhaust operations. The current limitations do not explicitly set forth the state of a deaeration valve during the sucking and exhausting operations. The state of the deaeration valve is critical to the function of the instant invention that has been determined to be novel and is set forth in the method of claim 5. The limitations of claim 6 do not explicitly coincide with the method of claim 5 and the following amendment is present:

- The recitation of "a deaeration valve provided to said exhaust flow path, the deaeration valve closing said exhaust flow path in performing a sucking operation of said pump under such a state that said pump inlet-side valve and said discharge valve are closed and that said pump discharge-side valve is opened, and opening said exhaust flow path in performing a discharging operation of said pump under a state that said pump discharge-side valve is opened and that said pump inlet-side valve and said discharge valve are closed"

Has been amended to

- --- a deaeration valve provided to said exhaust flow path, the deaeration valve closing said exhaust flow path in performing a sucking operation of said pump under such a state that said deaeration valve, said pump inlet-side valve and said discharge valve are closed and that said pump discharge-side valve is opened, and opening said exhaust flow path in performing a discharging operation of said pump under a state that said deaeration valve and said pump discharge-side valve is are opened and that said pump inlet-side valve and said discharge valve are closed ---

***Allowable Subject Matter***

4. Claims 5 and 6 are allowed.
5. The following is an examiner's statement of reasons for allowance: the prior art does not teach or suggest a method for deaerating a configuration forming a chemical liquid supply apparatus having the following elements: a pump discharging a liquid by communicating with the liquid accommodated in a liquid tank through a liquid introduction flow path to which a pump inlet-side valve for opening/closing the flow path is provided, a filter connected to said pump through a pump outlet flow path provided with a pump discharge-side valve and opened / closed by said pump discharge-side valve, a liquid dispense portion connected to said filter through a liquid discharge flow path provided with a discharge valve and opened/closed by said discharge valve, and a deaeration valve provided to an exhaust flow path communicating with an inlet side of said filter; used in combination to perform the steps of deaerating including: the step of a sucking operation wherein the deaeration valve, pump inlet-side valve, discharge valve are closed, and the pump discharge-side valve is opened, and the step of a discharging

operation wherein the deaeration valve and the pump discharge-side valve are opened and the pump inlet-side valve and said discharge valve are closed.

6. The prior art fails to teach or suggest a chemical supply apparatus having a configuration of components as discussed, and which includes: a deaeration valve, pump inlet-side valve, and discharge valve in a closed state, while a pump discharge-side valve is in an open state during a sucking operation, and a deaeration valve and a pump discharge-side valve are set to an opened state while a pump inlet-side valve and discharge valve are set to a closed state during a discharging operation.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are cited on form 892 herewith.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard J. Weinstein whose telephone number is (571) 272-9961. The examiner can normally be reached on Monday - Thursday 7:00 - 5:30.

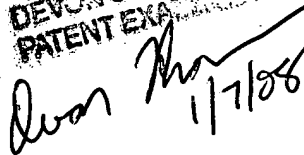
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Karmer can be reached on (571) 272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
LJW

DEVON C. KIRBY  
PATENT EXAMINER  
  
1/7/06